

11/12/77 [1]

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memo	<p>From Brzezinski to The President (1 page) re: Diplomatic Appointments/ enclosed in Hutcheson to Jordan</p> <p><i>opened per RAC, 3/12/13</i></p>	11//7/77	A

FILE LOCATION

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THE WHITE HOUSE
WASHINGTON

November 12, 1977

Stu Eizenstat
Bob Lipshutz

The attached was returned in the President's outbox today and is forwarded to you for appropriate handling. The signed original of the CAB case has been given to Bob Linder for delivery.

Rick Hutcheson

cc: Bob Linder

RE: CAB ORDER ON SUPER-APEX FARES (DOCKETS
31526; 31564)

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
✓	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
✓		EIZENSTAT
		JORDAN
✓		LIPSHUTZ
		MOORE
		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
✓	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

**Electrostatic Copy Made
for Preservation Purposes**

THE WHITE HOUSE

WASHINGTON

November 10, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: BOB LIPSHUTZ *BL*
STU EIZENSTAT *Stu*

RE: CAB Order Re Super-APEX Fares Proposed by Pan
American, TWA, KLM Royal Dutch, Royal Air Maroc
and British Airways (Dockets 31526; 31564)

1. You have earlier approved the CAB's suspension of super-APEX (advance purchase, excursion) fares proposed by the carriers listed above for flights between this country and Morocco and the Netherlands. Those fares--which offer substantial discounts for consumers--were suspended solely to give the State Department time to negotiate ad hoc agreements which would permit future fare suspensions if competition proves to be predatory.

State has now negotiated appropriate ad hoc agreements. The Board has therefore issued the present order which vacates the earlier suspension and permits the low fares to become effective.

We recommend that you uphold the Board's decision, which becomes effective unless you disapprove it by November 13.

☒ Approve ☐ Disapprove

2. In the future there will be a number of similar instances in which the Board vacates suspensions of super-APEX fares following notification by State that ad hoc agreements have been negotiated. Under the law the CAB must submit its action vacating the suspension for your review.

Chairman Kahn has asked that you waive your statutory review authority in such cases, so that the low fares may become effective as soon as the Board lifts its suspension. There is a serious legal question whether you can waive such authority. There is no reason, however, why we could not utilize procedures which would permit you to announce approval within two to three days of the date on which the CAB vacates a super-APEX suspension.

We therefore recommend that you sign the attached letter to the Board which approves the CAB decision in the present case and which explains that expedited procedures will be used in the future.

☒ Approve ☐ Disapprove

*Let them
Come directly
to WH J*

THE WHITE HOUSE

WASHINGTON

November 11, 1977

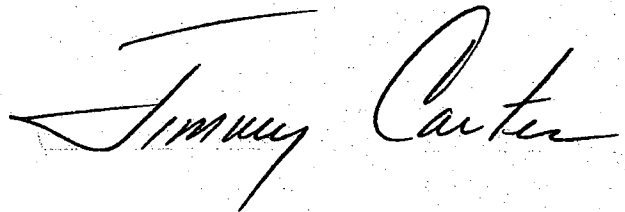
Dear Mr. Chairman:

I have reviewed your proposed order Dockets 31526 and 31564 dated November 2, 1977, which vacates previous suspensions to allow super-APEX fares to and from Morocco and the Netherlands to be quickly implemented.

I have decided to take no action and allow the Board's order to stand. I regard the extension of innovative, low-fare proposals to other countries to be a significant step toward a more competitive international aviation environment. I would like to commend the Board for its role in making these low fares available to the public.

I appreciate the concerns which motivated your request that I waive my statutory power of review over similar types of Board orders. However, I do not believe it would be appropriate for me to waive my powers under Section 801(b) of the Federal Aviation Act as amended. Instead I will direct that special, expedited procedures be established to review this type of order quickly in the future.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

The Honorable Alfred E. Kahn
Chairman
Civil Aeronautics Board
Washington, D.C. 20428

THE WHITE HOUSE
WASHINGTON

November 12, 1977

Tim Kraft
Stu Eizenstat

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

RE: OPTIONS FOR FEDERAL INVOLVE-
MENT IN NON-FEDERAL DAM SAFETY

cc: Jack Watson
Jim McIntyre
Charles Schultze

THE WHITE HOUSE
WASHINGTON

11/11/77

Mr. President:

Frank Moore has no comment.

Jack Watson favors OMB option #3, and stresses the importance of getting the Federal government out of the business of inspecting non-Federal dams as quickly as possible -- by clearly limiting Federal responsibility at the outset, and encouraging states to develop their own dam inspection programs.

Schultze favors Option #2; his comments are attached.

Rick

THE WHITE HOUSE
WASHINGTON

FOR STAFFING

FOR INFORMATION

FROM PRESIDENT'S OUTBOX

LOG IN/TO PRESIDENT TODAY

IMMEDIATE TURNAROUND

1st page only

ACTION	FYI	
		MONDALE
		COSTANZA
/		EIZENSTAT
		JORDAN
		LIPSHUTZ
		MOORE
		POWELL
/		WATSON
/		McINTYRE
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	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

**Electrostatic Copy Made
for Preservation Purposes**

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

*Stu Set up 30 min
mtg w Corps &
interested Cabinet
officers
JC*

MEMORANDUM FOR

THE PRESIDENT

FROM

STU EIZENSTAT
KATHY FLETCHER

Stu

SUBJECT: Options for Federal Involvement in
Non-federal Dam Safety

The Toccoa Falls dam disaster raises the issue of whether we want to make an Administration policy decision on the role of the federal government in assuring the safety of private and state dams. Although the Congress passed a sweeping dam safety law in 1972, the only portion which has been carried out is the provision to inventory the nation's dams. The inventory has identified 49,000 total dams, 9,000 of which are "high hazard" because they are located so as to cause significant loss of life and property in the event of failure. The federal government has neither funded nor implemented the mandate to inspect non-federal dams. The FY78 Budget contains \$15 million to apply to non-federal dam safety. The proposed FY79 Budget would include \$16.4 million for this purpose. You indicated in your press conference that inspections will begin without delay.

The attached OMB decision memorandum presents four alternatives for the federal government's role in non-federal dam safety. The alternatives are:

1. Status quo (no federal role; would have to rescind \$15 million appropriated for FY78).
2. One-year program to inspect most urgent high hazard dams with recommendations to Congress at the end of the year for a more comprehensive program (\$15 million in FY78, undetermined thereafter). (Corps of Engineers)
3. Three to four-year program to inspect all high hazard dams, on a one-time basis, followed by capability to assist states on a reimbursable basis thereafter (approximately \$60 million total, starting with \$15 million in FY78). (OMB, DPS and OSTP)

4. Matching grant program to states so that they develop the capability to conduct their own inspections and dam safety program (the cost might be as much as \$50 million per year). (Agriculture)

Interior supports a combination of #2 and #4.

Any inspection program should be linked to an understanding that the federal government should not be responsible for rehabilitation and repair expenses. Identifying structurally unsafe dams will naturally lead to pressure for repairs, but we should make it clear that the owners of the dams are responsible for repairs or retirement of the facility. OSTP suggests that low-interest loans for repairs may be appropriate, but I believe it would be premature to support such a program before we have some inspection results.

I think the division of opinion among the agencies is reflective of the general feeling that a good dam safety program relies on a number of elements. In order to assure safe non-federal dams, there need to be:

- Good state programs which would deal on a continuing basis with quality control of new dams as well as inspection and follow-through on existing dams;
- A federal program which focuses on high priority inspections and on working with the states to promote good state programs and appropriate follow-through on inspections.

Recommendation

I would favor the OMB proposal (#3) -- a 3-4 year federal inspection program for all high hazard dams. But in addition, I think you should direct the Corps of Engineers, working with the Office of Science and Technology Policy and the other agencies:

- to immediately begin to advise the states on developing their own programs (recognizing that some states already have good programs); and

- to report back to you in one year on the status of their efforts and on any appropriate follow-through recommendations.

While Option 2 initially appears most attractive, I think that Option 3, with the additions I have suggested, is preferable because:

- Option 2 might lead to an extremely expensive Corps of Engineers proposal for comprehensive dam inspection, state aid, and dam rehabilitation, while removing some pressure from the states to quickly prepare their own programs;
- Option 4 would involve an unacceptable budgetary commitment at this point and would remove the incentives for the states to pay for their own programs. It should also be pointed out that existing law establishes a mandate for federal inspections and we do not now have the legislative authority to require states to carry out inspections.
- Option 3 makes a politically attractive commitment to inspect all high hazard dams, rather than putting off a decision on the scope of our program; and
- Option 3 puts a budgetary ceiling on our commitment, unless we ourselves decide to propose a larger program.

OMB and OSTP agree with this recommendation.

Announcing the initiation of the inspection program this week will focus some positive attention on the issue, and if the Corps moves swiftly, I would imagine that there will be a great deal of visibility as they go into the states to perform the inspections and consult with state officials. I understand that the Corps is poised for action as soon as they receive guidance.

Decision

Option 1	_____
Option 2	_____
Option 3 as modified	_____
(Recommended)	_____
Option 4	_____
Other	_____



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

NOV 8 1977

MEMORANDUM TO THE PRESIDENT

FROM: Jim McIntyre *Jim McIntyre*
SUBJECT: Federal Role In Safety of Non-federal Dams

The Administration must decide what role, if any, the Federal Government should play in assuring the safety of non-federal dams. This issue has been brought to a head by recent Congressional action adding \$15 M for the Corps of Engineers to initiate a non-federal dam safety program, and by recent Congressional overview hearings where Administration witnesses agreed to provide the Congress with the Administration's proposals by the end of the year.

The reasons the Executive Branch has heretofore resisted expanding the Federal role in dam safety - apart from the budget implications of financing inspections and the intergovernmental impact of Federal intrusion into an area heretofore reserved for the States - are 1) the likelihood that a Federal role in dam inspections will be construed to imply a Federal liability in cases of failures of non-federal dams, and 2) the obvious pressures for the Federal Government to finance the repair or reconstruction of any non-federal dam found to be defective by a Federal dam inspection program.

Background

Following the failure of non-federal dams in West Virginia and South Dakota in 1972, the Congress enacted the National Dam Inspection Act of 1972. Among other things, the law authorized the Corps of Engineers to prepare a national inventory of dams, to inspect dams which were a threat to life or property, and to make recommendations for a comprehensive dam safety program. When President Nixon signed the bill, he expressed the view that responsibility for the safety of non-federal dams should continue to rest with the States. The Corps of Engineers conducted an investigation under this law and prepared a complete dam

inventory, but did not conduct any actual on-site inspections because of the Administration's position. A report was prepared by the Corps and sent to the Congress in 1976 by the Ford Administration with a proposal that the Federal role in non-federal dam safety be limited to technical assistance.

In 1976, the dam safety issue was again highlighted with the failure of the Teton Dam in Idaho. You dealt with the Federal agency part of this problem in your memorandum to the concerned agency heads of April 23, 1977, which initiated a review of Federal dam safety practices under the auspices of the Office of Science and Technology Policy. However, the issue of the Federal role in non-federal dam safety remains open.

The Corps of Engineers Report classified structures meeting the Dam Inspection Act definition of "dam" as follows:

49,000 approximate total Federal and non-federal dams, of which:

43,500 are non-federal dams

5,500 are Federal dams

20,000 of the above dams are so located that failure or misoperation could result in loss of human life and appreciable or greater property damage (significant and high hazard categories)

9,000 of the significant and high hazard are classified as high hazard due to location.

A questionnaire survey was made to assess each State's capabilities, practices, and regulations regarding the design, construction, operation and maintenance of dams.

All 50 States and 3 Territories responded to the questionnaire on supervision of dams by State authorities.

The response indicated that 11 States and Territories have no laws regarding any aspect of dam supervision. The legislative authority of many of the others is considered inadequate from the standpoint of establishing all activities necessary for dam safety. Twenty-four (24) indicated that their current dam safety regulations do not fully meet present needs and 20 stated that they have active plans to modify existing regulations.

Forty-one (41) States and Territories require a permit or license to be issued prior to construction of a private dam; 36 require the review of plans and specifications prior

to construction; and 23 provide on-site inspection by State personnel during construction. Thirty-two (32) States have authority to perform safety inspections after construction; however, in most cases firm schedules are not maintained. Many perform an inspection only when information is received that a hazardous condition might exist or under other special conditions.

The responses further indicated that 54,195 dams are under State jurisdiction and that \$4 million is the approximate annual budget of the State authorities directly related to dam and reservoir supervision. This number of dams is larger than that included in the inventory because in some cases State regulations encompass impoundments which do not meet the Public Law 92-367 (Dam Inspection Act) definition of "dam."

There are great differences among the States in carrying out their responsibilities to the public for the safety of dams built within their jurisdictions. Many have inadequate statutes and others have inadequate staffs to enforce the statutes. Few States, if any, including those with adequate dam safety regulations, are prosecuting a program with standards as high as those recommended in the Corps report.

Administration representatives were called to testify regarding the failure of the Nixon and Ford Administrations to conduct inspections of non-federal dams, and they agreed to provide Congress with the Carter Administration's position later this year. In the meantime, the Congress appropriated \$15 M in unbudgeted funds for the Corps of Engineers to initiate a non-federal dam safety program. The Corps of Engineers is awaiting policy guidance before proceeding to use those funds.

Subsequently, representatives of this office, the Domestic Policy Council, the Office of Science Technology Policy, Army, Interior, and Agriculture have met to consider what actions to take and to develop alternative proposals for your consideration. The alternatives are outlined below.

Alternatives

1. Status Quo. This would leave non-federal dam safety as a State responsibility but would provide Federal technical assistance to States in designing their programs. (Cost of such technical assistance should not exceed several million dollars annually). A rescission of the \$15 M in dam safety funds appropriated to the Corps would be required to implement this option.

2. Conduct inspections of non-federal dams for one year with the 1978 funds appropriated for the Corps of Engineers. This would permit Army to proceed with inspections of the most urgent high-hazard dams and to develop follow-on proposals next year in a report to the Congress. (The initial cost would be \$15 M, but long-term cost would depend on the proposals flowing from the Corps' experience in 1978.)
3. Initiate a 3-4 year program of direct Federal inspection of all of the approximately 9,000 dams in the high hazard category. States electing to do so could conduct their own inspections in lieu of Federal inspection (at Federal expense and under Federal guidelines). Following the initial inspection of all high hazard dams, the Corps of Engineers would maintain a capability to assist the States by conducting future inspections of high hazard dams or by inspecting other non-federal dams at State expense. The total cost of initially inspecting all high hazard dams could vary from \$15 M to about \$100 M, depending on the level of detail to which the inspections are carried.
4. Initiate a matching grant program to assist the States in conducting their dam safety programs. This proposal would exclude any Federal funds for repair or rehabilitation of non-federal dams. The costs of such a program are difficult to estimate at this time due to lack of experience but could be on the order of \$50 million annually.

General Discussion of Alternatives

Pro dam safety involvement:

- The Federal Government, because of other water resource programs, has a high level of expertise that all States are unlikely to duplicate.
- Dam safety can be seen as an extension of Federal flood control efforts.
- State programs are generally inadequate in the opinion of Federal experts (and the Congress, if the Dam Inspection Act is a guide).

Con dam safety involvement:

- Dams, and dam failures, can be viewed as local problems with local effects rather than national ones.

- Land use regulation, and the regulation of the safety of structures, is generally viewed as a State and local function.
- A new dam safety program would add to Federal fiscal problems, and require additional Federal personnel to implement it.

Discussion of Individual Alternatives

- #1 Status Quo: This was the position of the previous Administration. As noted before, it would require a rescission of previously appropriated (but unbudgeted) funds in FY 1978.
- #2 One-year program using existing funds: Would postpone a final decision on the scope of a Federal program until the end of FY 1978 - could provide useful data for subsequent Federal and/or State actions, but risks building support for a larger Federal program than might otherwise result.
- #3 Initiate a 3-4 year program to inspect all high hazard dams: This would limit the Federal responsibility to a one-time action, while covering the most serious threats to life and property. Although an expansion of the current Federal role, it would provide an incentive to initiate or strengthen State programs and would represent a positive and immediate Federal response to the problem. It does entail a risk that States could press for Federal financing of the costs of repairing dams found defective.
- #4 A matching grant program to States: This would fund State inspection programs but exclude funds for repair or rehabilitation of non-federal dams (which would presumably be done by dam owners at State insistence). Such grants would be a windfall for States like California which already have ongoing safety programs, but could be an inducement to States like Virginia, which have none.

Agency Views

Agriculture supports option 4 - matching grants.

Interior supports a combination of options 4 and 2 - it considers a matching grant program as the most appropriate way to proceed but also wishes to initiate Federal inspections of a limited number of hazardous dams.

The Department of the Army recommends option 2. This is intended to enable Army to develop a representative sample of high hazard dam inspections and to prepare a report on followup action based on this experience.

The Office of Science and Technology Policy makes no specific recommendations but raises the question of financing the costs of rehabilitating dams which are determined to be unsafe by Federal inspections. OSTP indicates that many dam owners could not afford to correct safety problems and suggests a low interest loan program as a reasonable Federal followup to an initial inspection program.

OMB Recommendation

Option 3 - Initiate an immediate program of initial Federal inspection of all high hazard dams.

Presidential Decision

_____ Option 1

_____ Option 2

_____ Option 3

_____ Option 4

_____ Other

THE CHAIRMAN OF THE
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON

November 11, 1977

MEMORANDUM FOR THE PRESIDENT

From: Charlie Schultze *CLS*

Subject: Federal Role in the Safety of Non-Federal Dams

I agree completely with the interagency task force's conclusion that further efforts by the Federal government may be needed to insure the safety of dams that are not federally owned. However, I question the course of action proposed by OMB.

Of the four options suggested to you, OMB recommends one that involves the highest immediate budget cost, the largest potential federal liability, for damage caused by broken dams, and the most direct involvement by federal employees in dam safety.

However, a number of important issues are not fully resolved by the work of the interagency task force that should be resolved before a major increase in the dam-inspection program is made by the Administration.

Specifically:

-- We need to evaluate the work of the Army Corps of Engineers' inspection program that already is authorized.

-- We need to insure that federal inspections do not result in federal liability if a dam breaks after being certified by Federal inspectors, or in demands for Federal assistance to correct defects in dams identified by Federal inspectors.

-- We need to determine ways to insure continued correct operation and maintenance of dams after inspection.

-- We should consider whether policies are needed to insure that development does not occur in the flood plain below a dam.

Given the very large number of dams and their widely differing characteristics. and the lack of knowledge about what to do after a dam has been inspected, we think it highly desirable to gather the information and develop a program which can be truly effective.

For this reason I recommend that the Administration should not commit itself to a major expansion of its role in dam safety inspections without resolving these issues. I concur with the Department of Army's recommendation to proceed with the existing limited program for one year in order to gather data necessary to develop a program that satisfies the requirements of the law, but does not expose the government to unnecessary financial risks.

Therefore, I recommend you approve Option 2.

THE WHITE HOUSE

WASHINGTON

Date: November 9, 1977

MEMORANDUM

FOR ACTION:

Stu Eizenstat *attached*
Frank Moore *nc*
Jack Watson *attached*
Charles Schultze - *hold until pm, per Gould*
Frank Press *attached*

FOR INFORMATION:

The Vice President

FROM: Rick Hutcheson, Staff Secretary

SUBJECT: McIntyre memo dated 11/8/77 re Federal Role in
Safety of Non-federal Dams

**YOUR RESPONSE MUST BE DELIVERED
TO THE STAFF SECRETARY BY:**

TIME: 10:00 AM

DAY: Friday

DATE: November 11, 1977

ACTION REQUESTED:

☒ Your comments

Other:

STAFF RESPONSE:

☐ I concur.

☐ No comment.

Please note other comments below:

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone, 7052)

WASHINGTON

Date: November 9, 1977

MEMORANDUM

FOR ACTION:

Stu Eizenstat
Frank Moore
Jack Watson
Charles Schultze
Frank Press

FOR INFORMATION:

The Vice President

FROM: Rick Hutcheson, Staff Secretary

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TO THE STAFF SECRETARY BY:

TIME: 10:00 AM

DAY: Friday

DATE: November 11, 1977

ACTION REQUESTED:

☒ Your comments

Other:

STAFF RESPONSE:

☒ I concur.☐ No comment.*Please note other comments below:*

I concur with Alternative 3 which concentrates Federal dam inspection activities on potentially high hazard dams. In developing the inspection program, I believe that the Corps must be prepared to work with the States to provide them the technical information that will enable States to begin designing inspection and licensing programs. This would be a function of program design to a greater extent than it would be a requirement of additional funding.



Nov 10, 1977

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. (Telephone 3052)

THE WHITE HOUSE

WASHINGTON

November 11, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: Jack Watson *Jack*
SUBJECT: FEDERAL ROLE IN SAFETY
OF NON-FEDERAL DAMS

For both substantive and political reasons we need to undertake some significant dam inspection program. I favor option 3 in the McIntyre paper -- namely the initiation of a 3 to 4 year program of direct Federal inspection of all high-hazard, non-federal dams. If we undertake such a program, I am concerned that the federal government be protected against:

- (1) The inevitable plea for federal construction funds from owners of non-federal dams which federal inspectors find to be in need of repair.
- (2) Possible liability for damages to person or property which result from failure of dams certified by federal inspection to be safe.

The best protection against the problem appears to be to get the federal government out of the business of inspecting non-federal dams as quickly as possible. To that end, I hope that

- (1) the limits of federal responsibility can be made clear at the outset;
- (2) we can strongly encourage states to develop their own dam inspection program; and
- (3) we help states develop that competence through a program of technology transfer based on the Corps of Engineers experience.

ISSUE PAPER

What Should Be the Federal Role In Safety Inspections of Non-Federal Dams?

Following in the wake of the Buffalo Creek Dam failure in February 1972, the Canyon Lake Dam failure during the Rapid City, South Dakota flood in June, 1972, and the concerns for dam safety created by Hurricane Agnes in 1972, the Congress passed and President Nixon signed the National Dam Inspection Act of 1972, (P.L. 92-367). Basically, the Act directed the Corps of Engineers to 1) inventory the majority of dams in the Nation, 2) inspect those dams which pose a threat to life or property, 3) develop guidelines for safety inspections and evaluation of dams, and 4) make recommendations for a comprehensive National program including inspection and regulation responsibilities for Federal, State and local governments and the private sector.

In signing the Dam Inspection Act, President Nixon acknowledged that "the objective of the bill -- to reduce the risk of dam failure -- is highly desirable," however, the particulars of the bill depart "from the sound principle that the safety of non-federal dams should primarily rest with the States."

In partial compliance with the 1972 Act, the Ford Administration submitted a draft bill to the Congress, along with the final report of the Chief of Engineers, which proposed the implementation of a comprehensive National dam inspection program. The legislation and accompanying report included the dam inventory, guidelines and a model State law, and recommendations for Federal, State and local responsibilities as they related to dam safety. Most notable among the recommendations not included in the Ford Administration bill were proposals for the Federal Government to either perform inspections on non-federal dams or provide funds to the States to perform the same investigations.

The Teton Dam disaster has heightened public concern for the safety of both Federal and non-federal dams. While many Federal dams need improved inspection and remedial programs and while Administration efforts are underway to review Federal agency dam safety procedures, concern is also great for the 90% of all dams that are privately-owned and managed. Significant aspects of the dam safety situation are as follows:

- (1) No currently active Federal program addresses the broad issues of non-federal dam safety. Dam safety inspections that were authorized by P.L. 92-367 have not been performed.
- (2) The Corps of Engineers National Dam Inspection Report compiled under the authority of P.L. 92-367 refers to 49,329 Federal and non-federal dams in the U.S. and its territories, of which about 43,500 are non-federal.
- (3) There are great differences among the States in carrying out their responsibilities to the public for the safety of dams built within their jurisdictions. The Corps' report pointed out that 32 States had inspection authority to perform inspections covering approximately 35,000 dams. Eighteen States with jurisdiction over approximately 19,000 dams had no inspection programs. Of those States with inspection authorities, half reported that inspections are performed irregularly or only when conditions warrant.

The dam inventory and the inspection guidelines previously published by the Corps, together with Federal technical assistance, may not ensure that States will adopt and implement adequate dam safety programs. As such, additional Federal actions may be indicated, e.g., initial inspection of hazardous non-federal dams; assistance in a dam insurance program; assistance in rehabilitation of unsafe dams with low interest loans or grants; funding for a portion of the annual costs of operating State programs; and, other measures that would provide incentives for adoption of dam safety programs.

- (4) The reasons the Executive Branch heretofore has resisted a Federal role in non-federal dam inspections (apart from the costs of inspections and the inter-governmental aspects) are 1) the implied Federal liability in cases where a non-federal dam failed notwithstanding a Federal inspection program, and 2) the obvious potential pressures for the Federal Government to finance the repair or replacement of any non-federal dam found to be defective under a Federal inspection program. The potential budgetary implications of an expansion of Federal responsibility

into this area heretofore reserved for the States are major - probably running into the billions of dollars. For example, the Teton Dam failure involved Federal payments for damages of about \$400 M, even though it occurred in a relatively sparsely populated area. A similar incident involving a non-federal dam in a less remote area would be far more costly.

- (5) Although the Carter Administration has assigned a high priority for dam safety, the April 23, 1977, Presidential Memorandum pertains only to review of Federal dam safety practices for formulation of future management guidelines. In executing this Federal review, the FCCSET Interagency Committee on Dam Safety has raised the issue of non-federal dam safety and considers this as a gap in the overall Federal review effort.
- (6) There is considerable Congressional interest in the dam safety issue. The Subcommittee on Environment, Energy and Natural Resources of the House Government Operations Committee, chaired by Leo Ryan (D - Cal.) has held hearings on dam safety and has expressed concern over the lack of action by the Administration in carrying out the mandate of P.L. 92-367 to inspect non-federal dams. Administration witnesses stated that we are committed to preparing a bill on this issue by the end of the year. The recent Public Works Appropriation bill included \$15 M for the Corps of Engineers to initiate a dam safety program of undefined content.

Alternatives

1. Adopt the previous Administration's position, i.e., non-federal dam safety is the responsibility of the States. (Cost should not exceed \$1 or \$2 M annually).
2. Carry out one-time inspections of non-federal dams, by the Corps of Engineers, to the extent the existing \$15 M appropriation allows, and report to the Congress on completion.
3. Propose that the Corps of Engineers perform inspections on all non-federal high hazard dams on a one-time basis as a service to the States and as an incentive to induce them to take action themselves. (Total cost \$60 M.)
4. Propose that the Federal Government provide regular funding to the States on a matching basis to initiate

and operate their own inspection programs, not to include, however, Federal funds for rehabilitation of non-federal dams. (Cost \$30 to 50 M/year.)

General Discussion

A National dam safety program involves four basic tasks. The first is the initial inspection of those dams, approximately 9,000 out of a total of 49,000, which are considered to pose a high hazard to life or property. The second task is the follow-on inspections required of those dams found to be unsafe for one reason or another. The third task, potentially the most expensive, is the remedial work and rehabilitation required to make unsafe dams safe. The fourth task is the administration of an ongoing program of inspection of less hazardous structures, periodic reexamination of all structures and the implementation of guidelines and regulations applicable to the construction of new dams.

The primary policy question in dam safety is: Which tasks should the Federal Government undertake, and which are more appropriately given to the States and their political subdivisions?

Alternative 1 limits Federal involvement to inspecting federally-owned dams or private dams (reimbursable basis) on Federal property and to providing only technical assistance to the States. This is the traditional role.

Alternative 2 commits the Federal Government to starting a direct Federal inspection program for one year, but limits the extent of the commitment to available funds pending further recommendations based on experience with this limited program.

Alternative 3 accepts full Federal responsibility for the inspection of all high hazard non-federal dams. Federal inspections would be on a one-time basis, and would be viewed as an incentive for the States to initiate or expand dam safety programs. Contracts with States for such inspections would have clauses to limit Federal liability. The cost of inspections beyond this initial phase would be reimbursable, and the Federal role would be limited to this initial service.

Alternative 4 would involve the Federal Government to a much greater extent by a matching grant program for perpetuity. All aspects of a dam safety program would be impacted by Federal participation with the exception of funding the rehabilitation of unsafe non-federal dams.

Additional Detail On Alternatives

Alternative #1 - Adopt previous Administration's position

- Accepts Federal jurisdiction for dam safety for approximately 5,000 dams on Federal land, many of which are privately owned and have not been subject to Federal inspection.
- Minimal annual cost -- about \$1 or \$2 M annually.
- Consistent with the traditional position that responsibility for the inspection and regulation of privately-owned dams on non-federal lands rests with the States, and the costs of repair should be borne by the dam owners.
- Conforms to position of California and some States with strong safety programs that non-federal dam safety should remain a State responsibility.
- Where State programs are inadequate, does not ensure that inspections of hazardous dams will occur immediately, if at all.
- Limits long term Federal costs considerably, both in inspections and remedial work.
- Will increase Congressional criticism of Administration's inaction.
- Would require rescission of \$15 M appropriated to the Corps to initiate a dam safety program.

Alternative #2 - Carry out priority inspections of dams, subject to a \$15 M limitation

- Settles the question of what to do with the funds recently appropriated by Congress.
- Permits the most obviously hazardous situations to be investigated.
- The resulting data base could serve as the basis for more informed decisionmaking on future dam safety actions by States as well as Federal agencies.
- Probably would increase the Congressional momentum for a fully federalized national program.

- Might lead to an inefficient Federal program through continued annual appropriations without a long range objective with clear definition of Federal role.

Alternative #3 - Propose that the Corps of Engineers conduct or provide funding to perform one-time inspections of all high hazard non-federal dams

- Federal total cost is estimated at \$60 M.
- Could increase Federal personnel requirements by about 150 over a 5-year period, if Federal employees perform the work. Corps could contract with States in some cases, thus minimizing Federal personnel demands.
- Inspections that uncover significant problems could lead to pressures for the Federal Government to conduct further in-depth inspections and/or finance measures to eliminate the risk.
- A one-time inspection may miss some hidden faults, thereby leaving the public with a false sense of security if States do not follow up.
- May displace some ongoing State inspection efforts in favor of relying on Federal inspection.

Alternative #4 - Propose that Federal Government provide funds to States on a matching basis to initiate their own inspection programs, not to include, however, Federal funds for the rehabilitation of non-federal dams

- Potential Federal cost estimated at \$30 M - \$50 M/year.
- Of the four options, most satisfactory to States.
- Federal funds may induce States to implement complete and long term safety programs.
- Opens door to major intrusion of Federal responsibility in areas heretofore left to States.
- Could lead to demands for larger Federal share of inspection program as well as grants for remedial measures.
- Comes closest in meeting Congressional objectives in existing dam safety legislation.

THE WHITE HOUSE
WASHINGTON
November 12, 1977

Hamilton Jordan

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

cc: Zbig Brzezinski

RE: DIPLOMATIC APPOINTMENTS

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
		EIZENSTAT
/		JORDAN
		LIPSHUTZ
		MOORE
		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
/	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE PRESIDENT HAS SEEN.

CONFIDENTIAL

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

~~CONFIDENTIAL~~

November 11, 1977

MEMORANDUM FOR:

THE PRESIDENT

FROM:

ZBIGNIEW BRZEZINSKI *23*

SUBJECT:

Diplomatic Appointments

I am assuming that nominations for Ambassadorial appointments come to you from Cy through Ham. This routing skirts the NSC, and prevents us from giving you additional comments and reactions. Since doubtless some appointments are motivated, at least in part, by internal bureaucratic considerations, it may be valuable for you to have an additional check provided by the NSC staff.

Accordingly, I recommend that you instruct Ham to obtain NSC concurrences and/or reactions on the recommendations that come in for Ambassadorial appointments.

APPROVE ✓

DISAPPROVE _____

*Ham -
do so
JC*

~~CONFIDENTIAL~~

CONFIDENTIAL

DECLASSIFIED
Per: Rac Project
ESDN: NLC-136-9-37-1-1
BY *K5* NARA DATE *3/6/13*

THE WHITE HOUSE
WASHINGTON
November 12, 1977

Zbig Brzezinski

The attached was returned in
the President's outbox. It is
forwarded to you for your
information.

Rick Hutcheson

RE: ITALIAN-AMERICAN AFFAIRS

THE WHITE HOUSE
WASHINGTON

	FOR STAFFING
	FOR INFORMATION
✓	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
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	ARAGON
	BOURNE
✓	BRZEZINSKI
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	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

3619
info
J

FRESCOBALDI:

There seems to be a growing concern in both the Italian and the American press that the Carter Administration has lost its way in the field of foreign affairs. Is the Administration merely reacting to events, or does it have a strategy which it is pursuing?

GARDNER:

The Administration has clear priorities and is making progress.

The first priority of President Carter is strengthening cooperation with our allies in Europe and Japan. He took the initiative early by proposing two summit conferences in London: one on strengthening NATO and one on our common economic problems. We are providing leadership, with our allies, to follow through on the decisions of those two important meetings.

A second priority is that American foreign policy should reflect more fully our nation's fundamental values and, therefore, should emphasize human rights. There has been no retreat on this, as our performance at Belgrade demonstrates.

We see human rights and detente as mutually reinforcing, not inconsistent concepts. Governments are more likely to liberalize their policies if there is an easing of tensions. At the same time, an easing of restrictions on the movement of people and ideas helps promote international understanding.

The third foreign policy theme is that American foreign policy should be more responsive to the aspirations

of the developing countries. After most difficult negotiations, we have reached an agreement on a Panama Canal treaty. We have moved -- I think very effectively -- to identify U.S. foreign policy with the demands for black majority rule in southern Africa. The President has also asked for significant increases in foreign aid and has emphasized that aid should be focused on the basic needs of the poorest people in the world.

A fourth priority is to make detente more comprehensive and more reciprocal. More reciprocal in the sense that we want it to be a two-way street, with mutual benefits. And more comprehensive in that we wish the Soviet Union to share the responsibility for peaceful settlements in the Middle East and southern Africa, and to do its fair share to help the Third World through trade and aid. In the Middle East, at least, we have made some progress in securing Soviet cooperation.

Finally, President Carter has consistently emphasized the urgency of limiting the arms race and making progress toward genuine, and I emphasize genuine, disarmament. We are making encouraging progress toward a new SALT agreement which will lower the excessively high ceilings of the Vladivostock accord, place qualitative limits on new weapons systems, and limit specific weapons about which the two sides feel a particular concern. And just this week President Brezhnev accepted President Carter's idea that all nuclear testing should be stopped.

We are pursuing the goal of limiting the proliferation of nuclear weapons. An International Nuclear Fuel Cycle evaluation study is under way toward that end in

cooperation with our allies. And we have begun to limit conventional arms transfers to other countries.

Let us remember that success in foreign policy has to be measured in relation to the difficulty of the problems being addressed. These five problems are among the most complex, difficult problems that mankind has ever faced. No previous administration has solved them. We should not ask dramatic results from an administration that has been in office only nine months. But I believe we have made a good beginning.

FRESCOBALDI:

But isn't it true that the President's prestige has slipped, relations with the Congress are strained, and he seems to be at odds with many factions of society. Is the Carter Administration, in fact, doing any better at home than abroad?

GARDNER:

Here again we have to measure success in relative terms, in the light of the problems being addressed. The President has set for himself a very difficult, but I believe necessary, domestic agenda. It includes energy, better economic growth with less inflation, reform of the welfare system, reform of the tax system, and reform of the Federal Government, to mention only the highest priority issues.

There is an inevitable rhythm in U.S. politics and a complex dynamic in relations between the President and Congress. If you look at the history of recent Presidents who are regarded as successful by most

Europeans -- Roosevelt, Truman, Kennedy -- you will find that at various stages of their administrations they had great difficulty and their popularity fell. But good Presidents have a way of overcoming their difficulties.

There is a good chance that by next summer President Carter will have achieved, with Congressional approval, a new energy policy, a Panama Canal treaty, a SALT agreement, and other important measures. If that is the case, the judgment on his Administration will be very positive.

FRESCOBALDI:

You have been here seven months now. How do you see Italian-American relations? Did the Andreotti visit produce any concrete results?

GARDNER:

I think Italian-American relations are excellent. The Carter Administration regards Italy as a key country, one that is in the innermost circle of the Atlantic Alliance. I would describe the spirit of our policy as the "strategy of cooperation." We want to put in motion concrete, practical programs of cooperation which will yield benefit to both countries.

As a result of Prime Minister Andreotti's meeting with President Carter last summer, the United States has agreed to give sympathetic consideration to financing a substantial portion of Italy's nuclear energy program. We will also seek to assure reliable supplies of uranium for that program. And we will cooperate with

Italy in research and development of alternative sources of energy -- solar energy, geothermal energy, and biomass conversion, the conversion of garbage and waste products into usable energy.

We are also seeking to facilitate investments in Italy. We have encouraged Business International, a private organization, to bring to Italy at the end of November some 80 distinguished leaders of American and other multinational companies for three days of exploration with the Italian Government of the opportunities, as well as the obstacles, that confront investors in this country.

A third example of the strategy of cooperation is the agreement between Prime Minister Andreotti and President Carter for a program of reciprocal assistance under which Italy will help us strengthen Italian language and Italian studies programs in American schools and universities, and the United States will help in the improvement of English teaching and American studies programs in Italy.

We have also encouraged an innovative venture in the private sector, under which a consortium of American and Italian banks and industrial firms will establish a loan fund to finance graduate studies by qualified Italians in the United States and by qualified Americans in Italy on subjects of priority need and interest to our two societies.

These are just some of the practical projects that have begun as a result of the visit between our heads of government, and there will be others. My central task as

Ambassador is to cooperate with your government to bring such projects to a successful conclusion.

FRESCOBALDI:

Isn't it true that the Carter Administration has taken a new look at Europe and softened its attitude to participation by the PCI in the Italian government?

GARDNER:

No. President Carter, Secretary Vance, and Dr. Brzezinski have stated our policy as follows:

First, our allies are sovereign countries, with the right to make their own choices about their political future. We will not interfere in any country's internal affairs.

Second, we are also a sovereign country and have a right to express our view, and our view is that we do not wish Communist Parties to be influential or dominant in Western European governments.

Third, the best way to help to assure that Communist Parties do not come to power in Western European countries is for democratic parties to meet the aspirations of their people for more effective, more just and more compassionate government. International cooperation can help, but in the final analysis the outcome will be decided by the efforts the democratic parties make in the free political process.

FRESCOBALDI:

The Italian media reported recently that a PCI official in Florence, Mr. Pasquini, was denied a visa to visit the

United States as part of a Tuscan regional delegation. Is that true, and if so, how do you reconcile that with President Carter's desire to eliminate the barriers to free movement of people and ideas?

GARDNER:

It's not true. Mr. Pasquini was not denied a visa -- he received one. The situation is as follows. Under the McCarran Act, which was passed in 1952 at the height of the Cold War era, persons falling in certain defined categories, including members of Communist parties, are ineligible to enter the United States unless a waiver or exception is granted. That law is still on the books. However, President Carter and the Congress have worked together to establish new procedures, designed to facilitate the granting of waivers and promote the freer flow of people and ideas, in the spirit of the Helsinki Accords and of American traditions.

Under these new procedures, persons ineligible under the McCarran Act are regularly granted visas after a very short interval. In the case of Mr. Pasquini, the entire process took only six working days, after which he was issued a visa and departed for the U.S. It is the policy of the Carter Administration to encourage people from all over the world to visit the United States, regardless of their political affiliations or beliefs. It is in that spirit that our visa policy is being applied.

FRESCOBALDI:

A major point of discussion at the recent NPG meeting in Bari was the development and deployment of the so-called

neutron bomb. What is the neutron bomb and why is the Carter Administration pushing for its acceptance at this time?

GARDNER:

First of all, let me emphasize that the United States has not reached a decision on this subject. The matter will be decided in consultations with our European allies in the light of our common interests in peace and security. We do not deploy nuclear weapons on the territory of our allies without their consent. To reach an informed decision on the "neutron bomb," certain facts should be borne in mind.

The Soviet Union and the Warsaw Pact forces have a large manpower superiority over the NATO forces. Not satisfied with that advantage, they have engaged in a major buildup of their armored forces. They now have 16,000 tanks facing Western Europe compared to 7,000 tanks on the NATO side, and they have very considerably built up their aircraft and artillery.

Now, tactical nuclear weapons already exist in Europe on both sides. The so-called "neutron bomb" is not a new weapon. It is an improved version of and is intended to replace some existing tactical nuclear weapons. It is designed to reduce civilian casualties while destroying enemy forces. It is not a weapon, as some have said, that kills people and spares things. On the contrary, it is a weapon that kills fewer people. It would be deployed with a payload that produces no greater radiation, and significantly less heat, blast and fallout effects, than the weapons it would replace.

Let me be more specific: Whereas present tactical weapons can destroy invading tank columns within a radius of 1 kilometer, but at the risk of causing collateral damage over a radius of 4 kilometers, this more precise warhead would destroy a tank column within the same radius of 1 kilometer while limiting collateral damage to less than 2 kilometers.

The United States wants to reduce the number of tactical nuclear weapons in Europe. We have already offered to make substantial reductions in the number of tactical nuclear weapons on our side if the Soviet Union agrees to reduce its tanks and soldiers in Eastern Europe. So far the Russians have not agreed, but our offer still stands.

All weapons, nuclear and conventional, are inhuman, because they kill human beings. But, objectively, the degree of inhumanity of a weapon is proportional to the size of that weapon and the degree of unnecessary destruction it causes. I find it strange that some people concerned with the alleged inhumanity of the "neutron bomb" focus on a warhead 1/20 the size of the Hiroshima bomb and never mention Soviet warheads 1,000 times as destructive as the Hiroshima bomb, whose indiscriminate destructive potential is beyond imagination.

FRESCOBALDI:

How would you characterize President Carter? How is he different from his predecessors?

GARDNER:

To me, his distinctive quality is his concern for the future. He takes the long view. He wants to deal with the fundamentals of a question, not merely with symptoms. He is concerned that a policy measure be not merely sufficient to get him over the next month or even over the next election, but that it be a contribution to a long-term solution of a problem. That is why he has set for himself this extraordinarily difficult foreign policy and domestic agenda about which we have talked today.

Another political leader might well have said: This is too much. I won't seek a comprehensive settlement in the Middle East, I won't seek a solution based on racial justice in southern Africa, I won't try to push a controversial Panama Canal Treaty through the Senate, I won't seek major arms reductions and controls, I won't tell the American people the truth about the energy crisis and ask them to make sacrifices, and so on.

But that is not President Carter's way. He believes, correctly in my view, that problems like these can no longer be postponed. And when the history of his Presidency is written, I believe it will be said that he recorded major progress in solving them.

THE WHITE HOUSE
WASHINGTON

11-12-77

To Her Gramum

Who told you
that the arms sale
figures were distorted
by a "computer
error" ?

J


1:30 p.m.

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

GREETING TO THE GEORGIA TECH FOOTBALL TEAM

Friday, November 11, 1977
~~12:45~~ p.m. (10 minutes)
East Room

From: Hugh Carter 

Key Visiting Officials:

Dr. J. M. Pettit - President of Georgia Tech
Mrs. Florence Pettit
Doug Weaver - Athletic Director
Pepper Rodgers - Head Coach

Outstanding Players:

Lucius Sanford - linebacker
Rodney Lee - fullback
Randy Pass - offensive guard
Eddie Lee Ivory - halfback
Mike Cutting - defensive guard

Record to date:

5 Wins - Miami, Air Force, Tennessee, Auburn
Tulane
4 Losses - South Carolina, Clemson, Duke, Notre Dame
Remaining games - Navy, Georgia

Note: Last Saturday they were badly beaten by
Notre Dame, 69-14. A few words of encouragement
may help.

THE WHITE HOUSE
WASHINGTON

November 12, 1977

Stu Eizenstat

The attached was returned in the
President's outbox and is forwarded
to you for appropriate handling.
The signed original has been given
to Bob Linder for appropriate handling.

Rick Hutcheson

RE: MAJOR DISASTER - TENNESSEE

THE WHITE HOUSE
WASHINGTON

1:00 PM release

	FOR STAFFING
	FOR INFORMATION
✓	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
✓		EIZENSTAT
		JORDAN
		LIPSHUTZ
		MOORE
		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

	ARAGON
	BOURNE
	BRZEZINSKI
	BUTLER
	CARP
	H. CARTER
	CLOUGH
	FALLOWS
	FIRST LADY
	HARDEN
	HUTCHESON
	JAGODA
	KING

	KRAFT
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE WHITE HOUSE
WASHINGTON

*Stu - This looks
ok, but let's don't
get too liberal
in approvals
J*

November 11, 1977

MEMORANDUM FOR: THE PRESIDENT

FROM: STU EIZENSTAT *Stu*
LYNN DAFT *Lynn*

SUBJECT: Recommendation for a Major Disaster
Declaration Due to Severe Storms
and Flooding - Tennessee

In the attached letter, Secretary Harris recommends that you declare a major disaster declaration for Tennessee based on the depressed economic state of the affected areas combined with the burden of previous disasters.

We concur with Secretary Harris' assessment and recommend that you grant the declaration.

**Electrostatic Copy Made
for Preservation Purposes**

THE WHITE HOUSE

WASHINGTON

Dear Madam Secretary:

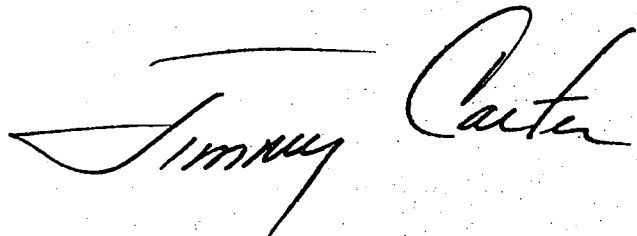
I have determined that the damage in certain areas of the State of Tennessee resulting from severe storms and flooding beginning about November 4, 1977, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Tennessee.

In order to provide Federal assistance, you are hereby authorized to allocate, from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

The time period prescribed for the implementation of Section 313(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, shall be for a period not to exceed six months following the date of this declaration.

I expect regular reports on progress made in meeting the effects of this major disaster, the extent of Federal assistance already made available, and a projection of additional assistance required, if any.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Honorable Patricia Roberts Harris
Secretary of Housing and Urban Development
Washington, D. C. 20410

THE WHITE HOUSE
WASHINGTON

November 12, 1977

Frank Moore

The attached was returned in the President's outbox today and is forwarded to you for appropriate handling. The signed original has been given to Bob Linder for appropriate handling.

Rick Hutcheson

cc: Stu Eizenstat

RE: MAJOR DISASTER - VIRGINIA

THE WHITE HOUSE
WASHINGTON

1:00 PM release

	FOR STAFFING
	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
		MONDALE
		COSTANZA
	/	EIZENSTAT
		JORDAN
		LIPSHUTZ
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		POWELL
		WATSON
		LANCE
		SCHULTZE

	ENROLLED BILL
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	PETTIGREW
	POSTON
	PRESS
	SCHLESINGER
	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE WHITE HOUSE

WASHINGTON

November 11, 1977

*Involve
Frank in
announcement
J*

MEMORANDUM FOR: THE PRESIDENT

FROM: STU EIZENSTAT *Stu*
LYNN DAFT *LD*

SUBJECT: Recommendation for a Major Disaster
Declaration Due to Severe Storms
and Flooding - Virginia

In the attached letter, Secretary Harris recommends that you declare a major disaster declaration for Virginia based on the depressed economic state of the affected areas combined with the burden of previous disasters.

We concur with Secretary Harris' assessment and recommend that you grant the declaration.

**Electrostatic Copy Made
for Preservation Purposes**

THE WHITE HOUSE

WASHINGTON

Dear Madam Secretary:

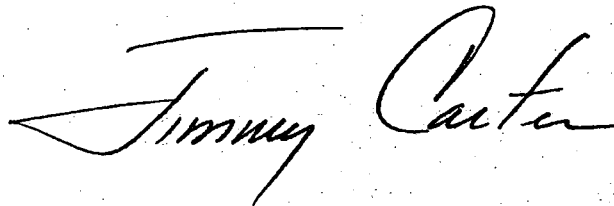
I have determined that the damage in certain areas of the State of Virginia resulting from severe storms and flooding beginning about October 31, 1977, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Virginia.

In order to provide Federal assistance, you are hereby authorized to allocate, from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

The time period prescribed for the implementation of Section 313(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, shall be for a period not to exceed six months following the date of this declaration.

I expect regular reports on progress made in meeting the effects of this major disaster, the extent of Federal assistance already made available, and a projection of additional assistance required, if any.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink and is positioned below the word "Sincerely,".

Honorable Patricia Roberts Harris
Secretary of Housing and Urban Development
Washington, D. C. 20410

THE WHITE HOUSE
WASHINGTON
November 12, 1977

Frank Moore

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

RE: SENATOR STENNIS

ADMINISTRATIVELY CONFIDENTIAL

THE WHITE HOUSE
WASHINGTON

<input type="checkbox"/>	FOR STAFFING
<input type="checkbox"/>	FOR INFORMATION
<input checked="" type="checkbox"/>	FROM PRESIDENT'S OUTBOX
<input type="checkbox"/>	LOG IN/TO PRESIDENT TODAY
<input type="checkbox"/>	IMMEDIATE TURNAROUND

ACTION	FYI	
<input type="checkbox"/>	<input type="checkbox"/>	MONDALE
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<input type="checkbox"/>	<input type="checkbox"/>	SCHULTZE

<input type="checkbox"/>	ENROLLED BILL
<input type="checkbox"/>	AGENCY REPORT
<input type="checkbox"/>	CAB DECISION
<input type="checkbox"/>	EXECUTIVE ORDER
	Comments due to Carp/Huron within 48 hours; due to Staff Secretary next day

<input type="checkbox"/>	ARAGON
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<input type="checkbox"/>	BUTLER
<input type="checkbox"/>	CARP
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<input type="checkbox"/>	WARREN

ADMINISTRATIVELY CONFIDENTIAL

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

November 11, 1977

*Frank -
Advise more specifically
when I should do
something
J*

MEMORANDUM FOR THE PRESIDENT

FROM:

FRANK MOORE *F.M.*

I talked with Senator John Stennis today mainly to inquire about his intentions on Armed Services Committee hearings on the Panama Canal treaties. As you know Tower and Thurmond have been hoping to have protracted hearings in Armed Services to delay the vote far enough into the election year. Senator Stennis informed me that if Senator Byrd and we want the vote to come in February, he would try to start his Armed Services hearings on the economics of the treaties as early as possible and would make them as brief as possible.

Senator Stennis also said that he is concerned about stories appearing (presumably in Evans & Novak). He intends to get into the middle of it and help when he can. He says people forget that he is the Chairman of the full committee and Jackson's is a Subcommittee. Stennis intends to help you in this matter when he gets back. He likes to remain as independent as possible and not to be called down to the White House unless it is for a specific reason. However, it may be worth exploring a general meeting with him to discuss the ~~defense~~ budget and see what else comes up.

PPHMAA

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THE WHITE HOUSE
WASHINGTON
November 12, 1977

Jim McIntyre

The attached was returned in the President's outbox and is forwarded to you for appropriate handling. The signed original has been given to Bob Linder for distribution.

Rick Hutcheson

RE: CASH MANAGEMENT PROJECT

CC: Bob Linder

THE WHITE HOUSE
WASHINGTON

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	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI
	MONDALE
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	LIPSHUTZ
	MOORE
	POWELL
	WATSON
<input checked="" type="checkbox"/>	McINTYRE
	SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
	CAB DECISION
	EXECUTIVE ORDER

Comments due to
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next day

	ARAGON
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	FALLOWS
	FIRST LADY
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	GAMMILL

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	STRAUSS
	VOORDE
	WARREN



PRESIDENT'S
REORGANIZATION
PROJECT

WASHINGTON, D.C. 20503

NOV 11 1977

MEMORANDUM FOR THE PRESIDENT

FROM: James T. McIntyre, Jr. *Jim McIntyre*
SUBJECT: Cash Management Project

Attached for your signature is a memorandum authorizing the Cash Management Project that we discussed at our August 15th meeting with you.

This memorandum -- and the study it describes -- has now been reviewed by Secretary Blumenthal and his staff. The Secretary has personally approved the substance of the memorandum as well as the Treasury Department's participation in the study. The Fiscal Assistant Secretary at Treasury, representing the Secretary, has approved the specific language of the memorandum.

Jim Fallows has edited this text, and we will work with Jody and the Treasury Department to announce the project in an appropriate manner.

Attachment

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE HEADS OF

EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: FEDERAL CASH MANAGEMENT

I have directed my reorganization staff, in conjunction with the Treasury Department, to conduct a comprehensive review of cash management policies, practices and organization throughout the Federal government.

The purpose of this effort is to identify further opportunities to apply modern cash management techniques to our massive cash flow. Within the constraints of monetary and economic policy, and building on the continuing work of the Treasury Department, the effort will seek ways to use our cash more efficiently with a view toward reducing Federal debt requirements and interest costs. The study will pay special attention to how effectively the government collects and disburses money, compensates banks and other financial institutions for services, controls cash balances, and the implications of their decisions.

Representatives of my reorganization staff will contact you. They may ask you for help, advice, staff resources, or to participate in reviewing your own cash management activities. Inasmuch as I consider this to be a major management improvement effort, I trust you will share my enthusiasm and cooperate to the fullest extent possible.

In order to inform all affected parties that this review is underway, I have directed that this memorandum be published in the Federal Register.

Jimmy Carter

THE WHITE HOUSE
WASHINGTON
November 11, 1977

The Vice President
Stu Eizenstat
Frank Moore
Jody Powell
Jack Watson
Charles Schultze
Richard Pettigrew

The attached is forwarded to you
for your information.

Rick Hutcheson

CASH MANAGEMENT PROJECT

THE WHITE HOUSE
WASHINGTON
November 12, 1977

Hamilton Jordan

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

cc: Jim Gammill

RE: MEMBER, NATIONAL TRANSPORTATION
SAFETY BOARD

THE WHITE HOUSE
WASHINGTON

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	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
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ACTION	FYI	
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		SCHULTZE

	ENROLLED BILL
	AGENCY REPORT
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	LINDER
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	STRAUSS
	VOORDE
	WARREN

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THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

*Ham
J*

November 11, 1977

MEMORANDUM TO THE PRESIDENT

FROM:

HAMILTON JORDAN

H.J.

SUBJECT:

Member, National Transportation Safety Board

The National Transportation Safety Board is a five member bipartisan board responsible for the promotion of safety in all modes of transportation throughout the country.

The authorizing legislation states that at least two of the five members are to be appointed from the area of "accident reconstruction, safety engineering, and transportation safety". Your note to Senator Cannon this summer specifically mentioned that you will observe this requirement when you consider future appointments to the Board.

In the past, the Board has concentrated its resources and expertise almost exclusively on the investigation of commercial aviation accidents, despite the fact that over 90% of all transportation deaths are caused by highway accidents. Your recent appointment of Jim King has given the Board new direction and leadership and has shown a commitment to expanding the Board's activities outside the area of aviation accidents.

When the existing vacancy came up for consideration, a special emphasis was placed on finding a safety engineer or transportation safety expert whose interests and experience were not limited to the commercial aviation field.

Out of the eleven candidates that were interviewed, Elwood T. Driver is recommended as the outstanding candidate. Mr. Driver has broad experience in highway safety and in air safety. For the past ten years he has worked in the Department of Transportation as a systems safety engineer on highway and vehicle design safety. Prior to coming to the Department of Transportation, he worked on airplane and missile safety first while serving in the United States Air Force and later as the Chief of Systems Safety Engineering and Administration at Autonetics, a division of North American Rockwell.

Mr. Driver has an overall solid technical background and he has a clear understanding of the problems of highway safety. Not only would his appointment fulfill the legal obligation of appointing a transportation safety expert but it would also reaffirm the commitment to get the Board active in all areas of transportation safety. I recommend that you approve his appointment.

RECOMMENDATION:

Appoint Elwood T. Driver as a member of the National Transportation Safety Board.

_____  approve _____ disapprove



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ELWOOD T. DRIVER

EDUCATION:

1942	B.S. New Jersey State College
1946	M.A. Safety Engineering and Administration, N.Y. University

EXPERIENCE:

1977-Present	Acting Director, Office of Crash Worthiness, National Highway Traffic Safety Admin., DOT
1971-1976	Director, Office of Crash Avoidance, NHTSA
1968-1971	Acting Chief, Division of Motor Vehicle Standards, National Highway Safety Bureau, DOT
1967-1968	Chief Controls Branch, NHTSB
1962-1967	Chief, Systems Safety Management North American Rockwell
1958-1962	Chief, Personnel and Safety Chanute Air Force Base, Illinois
1956-1958	Commander, Showa Air Base Japan
1954-1956	Director of Safety U.S.A.F., Tachikawa, Japan
1949-1954	Assistant Chief, Safety Engineering and Education, U.S.A.F. Pentagon

MILITARY SERVICE:

Retired Major, United States Air Force

ADDITIONAL QUALIFICATIONS:

Air Force Pilot
Civilian Pilot with multi-engine and instrument rating
Past President, System Safety Society
Owner/Pilot private pleasure boat

(Black, Democrat, Reston, Va. B.D. 1921)

COMMENTS ON ELWOOD T. DRIVER

Joan Claybrook, Administrator, National Highway Traffic Safety Administration:

"I recommend Woody very highly for this position. He has the right technical background and is very hard working. One of his strengths is that he follows through on projects, which has been a weakness of the Board in the past. Driver gets along extremely well with people and has the ability of making hard safety decisions more palatable."

Robert Maxwell, Director, Office of Technology Assessment, United States Congress:

"I have known Driver for twenty years. He has been working in transportation safety all his life. His background is very extensive, and his ability is unquestioned. His work is very highly respected. One of his areas of responsibility at the Department of Transportation has been to work with state and local officials. He is an excellent choice for this job."

George Peters, President, Systems Safety Society:

"Our organization is composed of systems safety engineers. We had several candidates but unanimously voted to endorse only Woody Driver. He is fair and equitable. Driver listens to all sides so that the decision he reaches is well thought out. We recommend him highly."

Howard Dugoff, Deputy Administrator, National Highway Traffic Safety Administration:

"I have worked with Woody as his peer, as superior, and also under him. He has wide ranging experience in safety and he knows the technical aspects well. He is a problem solver rather than a conceptualizer. He is practical and translates concepts into operational rather than global terms. He is very persuasive and will be a good salesman for the Board's safety recommendations."

THE WHITE HOUSE
WASHINGTON
November 12, 1977

Bob Lipshutz

The attached was returned in
the President's outbox. It is
forwarded to you for appropriate
handling.

Rick Hutcheson

cc: Hamilton Jordan

RE: P.R. SMITH - SUCCEED BOB MEYER

THE WHITE HOUSE
WASHINGTON

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/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
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	WARREN

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE

WASHINGTON

November 11, 1977

*Bob -
Be very
strict in eliminating
any conflicts
JC*

MEMORANDUM FOR THE PRESIDENT

FROM: Bob Lipshutz *RLJ*
SUBJECT: P. R. (Bobby) Smith

Attached is a letter dated November 9, 1977, from the Secretary of Agriculture regarding the appointment of an Assistant Secretary of Agriculture for Marketing Services, to succeed Bob Meyer.

I am pursuing investigation and analysis.

cc: Hamilton Jordan

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for Preservation Purposes**



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

NOV 9 1977

The President
The White House
Washington, D. C. 20500

Dear Mr. President:

I am forwarding the name of P. R. (Bobby) Smith for your consideration as Assistant Secretary of Agriculture for Marketing Services.

It is my understanding that your counsel is attempting to resolve any potential conflict of interest questions and has the information required to complete the standard background inquiries.

Your long association with Bobby has generated a good deal of interest in the media and on Capitol Hill. I, therefore, urge a complete review, to your satisfaction, of all information prior to the appropriate Presidential action and public announcement.

Respectfully,

A large, stylized handwritten signature in black ink, appearing to be "Bob Bergland", is written over the word "Respectfully,".

Bob Bergland
Secretary

THE WHITE HOUSE

WASHINGTON

November 5, 1977

MEMORANDUM FOR MIKE CARDOZO

FROM: Bob Lipshutz

SUBJECT: Proposed Appointment of Bobby Smith

The Secretary of Agriculture is making a final review of this matter, particularly with reference to the possible "conflicts" questions.

I anticipate that the Secretary will send this recommendation to the White House during the week of November 7.

You will recall that we also are expecting to receive from Bobby Smith and/or the Secretary an analysis of matters which come under the jurisdiction of the particular office for which he is being considered, which might affect the cotton warehouse business and related cotton enterprises in which Bobby Smith and/or his family is engaged in Georgia.

Concerning these questions, we certainly need to very thoroughly review the entire situation before recommending to the President that he make the appointment. Concerning the position of Bobby Smith as a Regent of the University of Georgia, I think we should review our files to ascertain if others either have resigned from such positions or retained such positions. Obviously, should Bobby Smith receive this appointment and retain the position as a Regent, he would have to disqualify himself in those matters which might affect the University of Georgia School of Agriculture particularly, and perhaps all matters which affect the University System of Georgia.

I assume that there are a number of matters which come before the Department of Agriculture which might affect a particular school of agriculture with any university, although I doubt that there are many of a general nature which affect universities.

Please keep me advised and please expedite this analysis.

THE WHITE HOUSE
WASHINGTON

November 11, 1977

Jim Gammill

The attached is forwarded to
you for your information.

Rick Hutcheson

RE: P.R. (BOBBY) SMITH - REPLACE-
MENT FOR BOB MEYER

THE WHITE HOUSE
WASHINGTON

November 12, 1977

Frank Moore

The attached was returned in
the President's outbox. It is
forwarded to you for your
information.

Rick Hutcheson

PHONE CALL TO SEN. HUMPHREY

THE WHITE HOUSE
WASHINGTON

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	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE PRESIDENT HAS SEEN.

THE WHITE HOUSE
WASHINGTON

November 11, 1977

dove
C

CONGRESSIONAL TELEPHONE REQUEST

TO: Senator Hubert Humphrey
National Institute of Health
496-2358 (rings in the Senator's room)

DATE: Friday, November 11, 1977
After 4:00 p.m.

BACKGROUND: You had previously approved a signing ceremony for the child nutrition bill. The ceremony was to have been small and in recognition of Humphrey's many years of commitment to improved nutrition for this country's children.

Senator Humphrey entered NIH this past Wednesday for a week of treatments and because the final day for you to sign this bill was today, a ceremony was out of the question.

I recommend that you telephone the Senator this afternoon, tell him that you signed the child nutrition bill yesterday, that you know of his special interest and years of work on this issue and generally inquire how he is feeling.

The Senator receives his treatments in the morning, but I am advised that he is up and around again by the late afternoon.

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Submitted by Frank Moore

F. M. / p.d.

Frank (he also called Ed Mastice) - Susan

THE WHITE HOUSE
WASHINGTON

November 12, 1977

Stu Eizenstat
Bob Lipshutz

The attached was returned in the President's outbox today and is forwarded to you for your information. The signed original has been given to Bob Linder for appropriate handling.

Rick Hutcheson

cc: Bob Linder

RE: CAB DECISIONS - Dockets 31562
and 31572

THE WHITE HOUSE
WASHINGTON

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	FOR INFORMATION
X	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND

ACTION	FYI	
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	SCHNEIDERS
	STRAUSS
	VOORDE
	WARREN

THE WHITE HOUSE

WASHINGTON

November 10, 1977

MEMORANDUM FOR THE PRESIDENT

FROM: STU EIZENSTAT *Stu*
BOB LIPSHUTZ *Bob*

SUBJECT: CAB Decision: U.S.-Israel Holiday Fares
Proposed by El Al Israel Airlines, Ltd.
Docket 31562

Group Inclusive Tour and Special APEX
Fares Proposed by Polskie Linie Lotnicz
Docket 31572

The CAB again has suspended discount fares proposed by foreign air carriers until ad hoc agreements are signed by the countries involved. El Al's proposed fares represent discounts of 54 to 58 percent from the normal economy fare for travel between New York and Tel Aviv. The Polish carrier proposed 44 to 53 percent discounts for travel between New York and Warsaw. These lower fares are a response to the Super APEX fares which you approved in September.

As soon as the ad hoc agreements go into effect, the Board will permit the discount fares to be effective.

All agencies recommend that you approve the order by taking no action.

The decision becomes final unless you disapprove by Monday, November 14, 1977.

APPROVE ✓; Disapprove

JC

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